

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

SERVICE EMPLOYEES INTERNATIONAL UNION)	
HEALTHCARE PENNSYLVANIA, CTW, CLC,)	
)	
Petitioner)	
v.)	No. 18-1237
)	
NATIONAL LABOR RELATIONS BOARD,)	
)	
Respondent)	
)	

UNOPPOSED MOTION OF
THE NATIONAL LABOR RELATIONS BOARD
FOR EXTENSION OF TIME TO FILE CERTIFIED LIST

To the Honorable, the Judges of the United States
Court of Appeals for the District of Columbia Circuit:

The National Labor Relations Board respectfully moves for a 30-day extension of time to file the certified list to the agency record in this case. The Board seeks the extension in order to retain jurisdiction over a pending motion for reconsideration filed by a non-party to this action.

1. On October 23, the Court granted the Board's unopposed motion for a 30-day extension of time from October 22 to November 21 to file the certified list in this case. The Board's motion explained that the extension was needed for it to retain jurisdiction over the case to decide a pending motion for reconsideration from charged party UPMC Shadyside Presbyterian. Section 10(e) of the National

Labor Relations Act provides that, “[u]pon the filing of the record with it the jurisdiction of the court shall be exclusive.” 29 U.S.C. § 160(e).

2. UPMC Shadyside Presbyterian’s motion for reconsideration remains pending before the Board. Filing the certified list would confer exclusive jurisdiction upon the Court and preclude the Board from deciding that motion. Accordingly, the Board requests to extend the deadline to file the certified list for another 30 days. At that time, the Board will transmit the certified list, or, if the motion for reconsideration remains pending, seek an additional extension.

3. SEIU Healthcare Pennsylvania consents to this motion.

WHEREFORE, the Board respectfully requests that the Court extend the deadline to file the certified list for 30 days.

Respectfully Submitted,

s/ Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

National Labor Relations Board

1015 Half Street SE

Washington, DC 20570

Dated at Washington, DC
this 21st day of November 2018

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g)(1), the Board certifies that this motion contains 254 words of proportionally spaced, 14-point type, and that the word-processing system used was Microsoft Word 2010.

/s/Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

NATIONAL LABOR RELATIONS BOARD

1015 Half Street SE

Washington, DC 20570

Dated at Washington, DC
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CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2018, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the CM/ECF system. I certify that the foregoing document will be served via the CM/ECF system on all parties or their counsel of record.

/s/Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
NATIONAL LABOR RELATIONS BOARD
1015 Half Street SE
Washington, DC 20570